United Nations A/AC.109/2017/9

General Assembly

Distr.: General
15 February 2017

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Guam

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 12 December 2016. Further details are contained in previous working papers posted on the United Nations website (www.un.org/en/decolonization/workingpapers.shtml).

17-02282 (E) 210217

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The Territory at a glance

Territory: Guam is a Non-Self-Governing Territory administered by the United States of America. As an unincorporated organized territory of the United States, it is administered by the Office of Insular Affairs of the United States Department of the Interior.

Geography: Guam is the southernmost and largest of the Mariana Islands in the Pacific Ocean, situated about 2,200 km south of Tokyo and 6,000 km west-south-west of Hawaii. It consists of a single island comprising two distinct geologic areas of about equal size. The northern part of the island is a high coralline limestone plateau and the southern region is mountainous. Apra Harbor is one of the largest deep-water ports in the Pacific.

Land area: 540 km^2.

Exclusive economic zone: 214,059 km^2.

Population: 159,358 (2010 census).

Life expectancy at birth: 79.4 years (women: 82.1 years, men: 77.0 years (2010 estimate)).

Languages: English and Chamorro.

Ethnic composition (2010 census): 37.3 per cent Chamorro; 26.3 per cent Filipino; 12.0 per cent other Pacific islanders; 7.1 per cent white; 5.9 per cent Asian; 2.0 per cent other ethnic origin; and 9.4 per cent mixed.

Capital: Hagåtña.

Head of the territorial Government: Eddie Baza Calvo (re-elected Governor in November 2014).

Territory's delegate to the United States Congress: Madeleine Z. Bordallo (re-elected in 2016).

Main political parties: Democratic and Republican Parties.

Elections: Most recent: 2016; next: September 2018.

Legislature: Unicameral 15-member legislature.

Gross domestic product per capita: $31,948 (2009 chained dollars, 2015 estimate).

Economy: Principal sources of revenue: tourism and the United States military.

Unemployment: 6.9 per cent (March 2015).

Monetary unit: United States dollar.

Brief history: The island was inhabited by the indigenous Chamorro people of Malayo-Polynesian descent when missionaries from Spain arrived in Guam in the late seventeenth century. The Chamorro now constitute just over one third of the population and play an active role in the political and social life of the island.

I. Constitutional, legal and political issues

1. Guam was administered by the Department of the Navy of the United States of America from 1899 to 1950, when the United States Congress enacted the Organic Act of Guam, which established institutions of local government. Since then, the relations of the territory with the Federal government in all matters not the programme responsibility of another Federal department or agency have been under the general administrative supervision of the United States Secretary of the Interior. Guam is an unincorporated territory, since not all provisions of the Constitution of the United States apply to the island. The Organic Act of Guam contains a bill of rights. As indicated in information received from the administering Power, under the United States Constitution only individual states, not territories, of the United States select electors for the President and Vice-President of the United States. Persons born in Guam are however citizens of the United States, and may, upon establishing residency in one of the 50 states of the United States, vote for electors of the President and Vice-President of the United States.

2. The people of Guam elect a governor, who serves a four-year term. No person who has been elected Governor for two full successive terms shall again be eligible to hold that office until one full term has elapsed. The Governor is responsible for the general supervision and control of the executive branch. The Governor may issue executive orders and regulations, recommend bills to the legislature, make his or her views known to that body and veto legislation. Following the elections held in November 2014, Eddie Baza Calvo (Republican) was re-elected as Governor.

3. Fifteen senators who serve two-year terms in the unicameral legislature are also elected. The legislature may override the Governor's veto. Under the supremacy clause of the United States Constitution, the laws of the United States take precedence where there may be a conflict with a law of the 50 states or territories. In the legislative elections held in November 2016, the Democrats won nine seats and the Republicans six seats.

4. Since 1972, Guam has sent one delegate to the United States House of Representatives. The delegate, who serves a two-year term, may vote in committee but not on the floor. In the elections held in November 2016, Madeleine Z. Bordallo, a Democrat, was re-elected for her eighth term as delegate to the United States Congress. She serves on two committees in the House of Representatives (armed services and natural resources).

5. The judicial system in Guam comprises local and federal components. The local judicial system consists of a superior court and a supreme court, which are led by judges appointed by the Governor and confirmed by the legislature of Guam. Local judges are subject to confirmation by voters every six years. In 2004, the judiciary of Guam was established as an independent branch of government. The law confirmed the appellate jurisdiction and administrative authority of the Supreme Court of Guam over all inferior courts in the Territory, thereby effectively establishing a unified local judiciary. Guam has an elected Attorney General. At the federal level, a district court judge, appointed by the President of the United States and confirmed by the United States Senate, is the head of the District Court of Guam.

6. Periodically, there have been moves to change the island's political status, as detailed in previous working papers. In 1997, Guam Public Law 23-147 established the Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination in order to address an important but controversial issue involving the Chamorro population. The Commission, in concert with a process of registration of eligible voters organized by the Guam Election Commission, was to oversee the conduct of a vote with regard to the status preferences of the Chamorro people (independence, integration or free association), in accordance with international standards.

7. In 2000, the Guam legislature provided the Guam Election Commission with the power to set the date for the decolonization plebiscite, in which it was expected that the Territory's indigenous people would be asked to choose between statehood, independence and free association with the United States. The plebiscite would have been non-binding, but would at the same time have set the course for any future discussions of political status with the administering Power. The vote, scheduled to have been conducted on 2 November 2004, was postponed because eligible voters had not been identified and registered. Universal suffrage with regard to general elections applies to United States citizens who are 18 years of age or older and are legal residents of Guam. All persons born in Guam and subject to the jurisdiction of the United States are citizens of the United States. However, according to the administering Power, the Guam Election Commission has described eligible plebiscitary voters more narrowly to include only those who can trace their roots back to those residents living on the island at the time of the passage of the Organic Act in 1950. The constitutionality of this law has been challenged in the United States District Court for the District of Guam in the case *Davis v. Guam*, a class action lawsuit arguing that the race-exclusive plebiscite is unconstitutional. The case was originally dismissed, but Davis won an appeal, and it is currently again before the United States District Court for the District of Guam, awaiting summary judgment.

8. The Guam Election Commission announced that, as at 1 November 2016, there were 51,713 registered voters, and, as at 31 December 2016, 13,202 registered native inhabitants. In 2011, the Governor convened the Commission on Decolonization for the first time in about a decade. According to the administering Power, in August 2016, the Commission on Decolonization voted not to move forward with plans to hold a plebiscite in the general election of November 2016, citing the need for time to conduct a fair and comprehensive education campaign.

9. According to the administering Power, in his 2016 State of the Island address, Governor Calvo announced the submission of a draft measure to petition for a referendum on a political status plebiscite in 2016. Although the Commission on Decolonization halted plans for a plebiscite in 2016, it still intends to conduct a comprehensive educational campaign in preparation for a planned plebiscite in 2018, with the assistance of a $300,000 grant awarded by the Office of Insular Affairs of the United States Department of the Interior in March 2016.

10. During the Pacific regional seminar on decolonization, held in Managua from 31 May to 2 June 2016, the representative of the Government of Guam said that a plan for an expedited educational campaign and the holding of a decolonization plebiscite by November 2016 had been announced. He explained that, according to

the law, the plebiscite could be held only after 70 per cent of native inhabitants (i.e., those who fitted the legal definition of Chamorro) were registered to vote and added that the vagueness of the law made it difficult to determine the quota for holding a plebiscite. The Commission on Decolonization had agreed to endorse the Governor's education plan and, with academics from the University of Guam, had been working to create and approve educational materials. The Commission had approved a series of narratives about the island's colonial history and decolonization process, as well as short descriptions of each of the three political options for Guam: statehood, free association and independence. He said that, under the current Governor's administration, local monies for political-status education had been provided for the first time in nearly two decades. Most of the Commission's current $250,000 budget was earmarked for the three political-status task forces. He also reported that the United States Department of the Interior had approved a $300,000 grant for the creation of materials for a decolonization education campaign.

II. Military and related issues

11. As previously reported, the United States decided in 2009 that the United States Marine Corps capabilities in the Pacific region would be realigned by 2014 through the transfer of United States military personnel from Okinawa, Japan, to Guam. The plan, which called for 9,000 marines and their family members to be relocated, was, however, modified on 26 April 2012, when it was specified in a joint United States-Japan statement that only 5,000 marines would move to Guam when appropriate facilities were available to receive them. The move would cost $8.6 billion, with Japan contributing $3.1 billion (see A/AC.109/2014/14).

12. On 30 January 2015, the Office of the Inspector General of the United States Department of Defense published the annual report of the Interagency Coordination Group of Inspectors General for Guam Realignment. It provided an update on the progress and efforts made regarding the realignment of forces, covering the period from 1 October 2013 to 30 September 2014.

13. On 29 August 2015, the United States Department of the Navy released the record of decision for relocating forces to Guam, following the issuance on 18 July 2015 of the final supplemental environmental impact statement for Guam. The record of decision is specific to the relocation of marines and dependants and comprises the decision to construct and operate a main base (cantonment area), a family housing area, a live-fire training range complex and associated infrastructure on Guam to support the relocation of a substantially reduced number of marines and dependants.

III. Land issues

14. The question of land use and ownership encompasses two major issues: the return of unused or underutilized land held by the United States Department of Defense and the return of that land to the original Chamorro landowners. In view of the envisaged military build-up, the Department has been interested in acquiring at least an additional 2,200 acres of non-federal land. Of the 147,000 acres of land available on Guam, the Department currently possesses 40,000 acres, or 27.21 per

cent of the island's land mass. Private landowners in the Territory have the right to refuse to sell any of their land for military purposes. With regard to public land, such requests would need the approval of the Guam legislature.

15. In March 2011, the Government of Guam signed the Programmatic Agreement to preserve cultural and historical properties on the island during the build-up in preparation for the transfer of marines, their dependants and support staff as early as 2016. In the Programmatic Agreement, projects included the construction of a cultural repository, a public health laboratory, and further upgrades to the island's water and wastewater systems.

16. In July 2015, the United States Department of the Navy published the Guam Training Ranges Review and Analysis, in which it presented information on the development of alternatives and the potential adverse effects on historical properties of each alternative that the Department analysed as a potential location for the Marine Corps live-fire training range complex on Guam.

IV. Budget

17. The budget comprises revenues received by the Government of Guam and federal grants, with the latter generally allocated, on an ad hoc basis, to particular sectors through the Department of the Interior. The territorial Government's operating revenues fall under four classifications: (a) General Fund, (b) Special Funds, (c) Federal Grant-in-Aid and (d) Semi-Autonomous and Autonomous Agencies Operating Funds. According to federal law, all island residents, including military personnel, must pay income tax to the Guam General Fund and not to the federal Government. The Governor has the power to veto a budget bill; however, the legislature can either override the Governor's veto by a special majority or reconsider the bill.

18. On 10 September 2016, the budget act for the fiscal year ending on 30 September 2017 lapsed into law without the signature of the Governor, as the Organic Act of Guam gives the Governor 10 days to either enact, veto or let measures passed by the legislature lapse into law. Projected gross revenues for the General Fund were $841.6 million, an amount that was approximately $16.6 million greater than the General Fund revenues identified in the appropriations act for the fiscal year 2016 of $824.9 million. The total General Fund revenue amount that was available for appropriations was $716.6 million. Overall Special Funds revenues were projected at $209.2 million and the federal match was projected at $48.0 million.

V. Economy

A. General

19. The economy of Guam continues to be based on two main pillars: tourism and the military. The Territory has been endeavouring to create an environment conducive to the development of other industries, such as financial services, telecommunications and transportation. Manufactured products include textiles and

garments, cement and plastics. Re-exports constitute a high proportion of the Territory's exports, which include petroleum products, iron and steel scrap, automobiles and tobacco and cigars.

20. In September 2016, the United States Bureau of Economic Analysis released estimates of the gross domestic product (GDP) of Guam for 2015, together with GDP and compensation estimates by industry for 2014. The estimates indicate that real GDP increased by 0.4 per cent in 2015, after increasing 1.3 per cent in 2014. The growth in the Territory's economy reflected increases in consumer spending, exports of services and federal government spending. Exports of services grew for a second consecutive year, reflecting a growth in visitor arrivals from the Republic of Korea and in average spending by tourists from that country. Federal government spending also increased for a second year. The increase in 2015 reflected growth in defence construction spending: major projects included fuel pipeline and aircraft maintenance hangar construction to support operations at Andersen Air Force Base.

B. Tourism

21. According to the Economic Outlook for Guam for Fiscal Year 2017 of the Guam Office of Finance and Budget, the increased diversity and growth and capacity expansion to accommodate visitors are contributing to an increase in tourist arrival numbers. According to a press release by the Guam Visitors Bureau, the fiscal year 2016 was the best year on record, with 1,510,944 visitor arrivals recorded, a 10.08 per cent increase from the previous year. The Tourism 2020 plan, developed in 2014 by the Guam Visitors Bureau in cooperation with government leaders, private stakeholders and members of the community, sets a road map to guide the Territory towards a shared vision for Guam's visitor industry.

C. Transport and communications

22. The Territory's road network is just less than 1,000 miles long. Of this, 420 miles are classified as "non-public". Of the 550 miles of public roads, there are some 144 miles of primary and some secondary roads. To maintain the territorial highway system, the Government receives funding from the United States Department of Transportation and the Federal Highway Administration.

23. The Port Authority of Guam, which is a public corporation and an autonomous agency of the territorial Government, administers the commercial port facilities at Apra Harbor, which is the entry point for 95 per cent of all goods entering Guam and serves as a trans-shipment centre for Micronesia.

24. The 2030 Guam Transportation Plan became an official component of the island's Comprehensive Development Plan. The Plan, which is a long-term strategy designed to improve the Territory's transportation system, incorporates improvements to roadways and mass transportation, while accommodating pedestrians and bicycles. It also addresses other issues, such as the proposed military build-up.

25. In February 2016, the Department of Public Works of the Government of Guam developed the Guam Transportation Improvement Plan for fiscal years 2016

to 2019. It provides a list of transportation improvement projects to address safety issues, pavement and bridge conditions and provide improvements in traffic operations, in consultation with the Federal Highway Administration and with input from the public.

D. Water system, sanitation and utilities

26. According to the 2013 report of the United States Government Accountability Office entitled "Further analysis needed to identify Guam's public infrastructure requirements and costs for the Department of Defense's realignment plan", the water and wastewater treatment systems of Guam have a number of deficiencies as a result of natural disasters, poor maintenance and vandalism. Although the Guam Waterworks Authority has invested more than $158 million in improvements to its water and wastewater systems over the past 10 years, it continues to operate under an order issued by the District Court of Guam requiring various treatment and infrastructure improvements because of issues relating to compliance with the Safe Drinking Water Act and the Clean Water Act. The potable water system of Guam is currently non-compliant with the Safe Drinking Water Act. According to the Inspector General of the Department of Defense, the wastewater plants in Guam do not meet primary treatment standards and lack sufficient capacity owing to the poor condition of existing assets. The Government Accountability Office noted in its report that, in terms of supporting the current military presence in Guam, the Authority provided wastewater services to the Andersen Air Force Base (including Northwest Field), the Naval Computer and Telecommunications Station Guam and the South Finegayan navy housing area. According to representatives of the legislature of Guam and the Chair of the Consolidated Commission on Utilities, however, the Authority is operating near capacity and is unable to meet any surge in demand relating to realignment without significant infrastructure improvements. In 2016, the United States Department of Defense obligated $55.65 million to the Government of Guam for the necessary upgrades to the Guam water and wastewater systems.

27. The Guam Power Authority provides all the electricity on the island for both the public and the Department of Defense. The Department is the Authority's largest customer, accounting for 16 per cent of revenue in 2015. The electric power system of Guam has experienced reliability problems that have resulted in power outages and is dependent on ageing generators approaching the end of their life expectancy. This situation recalled a report of the Inspector General of the Department of the Interior in 2012, in which it was stated that Guam was susceptible to power blackouts and noted that about a quarter of the generation units of the Authority had been installed before 1976. The conclusion was reached that, should the Authority have to replace its entire ageing infrastructure at once, it would require a large financial investment.

E. Renewable energy

28. In 2013, the United States Department of the Interior, in conjunction with the National Renewable Energy Laboratory, published the Guam Strategic Energy Plan,

which established metrics for measuring progress towards a goal of a 20 per cent reduction in fossil fuel usage by the year 2020, and identified specific clean energy policies that could be implemented in Guam, with education and outreach strategies. The United States Department of the Interior, in conjunction with the National Renewable Energy Laboratory, also published the Guam Energy Action Plan, which provided detailed implementation plans for specific strategies that could be implemented to help achieve the 20 per cent fossil fuel reduction by the 2020 goal.

29. In October 2015, the first solar power facility on Guam was completed and integrated into the existing grid, providing around 10 per cent of the grid with renewable energy. In March 2016, the Authority's first wind turbine generator, funded by the United States Department of the Interior, was officially unveiled. The pilot project has an expected production of up to 275 kW of capacity for the existing power grid, and data gathered will be used to assess the viability of additional wind power projects.

F. Agriculture and fisheries

30. The farming and fishing sectors are considered relatively well developed. The main types of produce are vegetables, citrus, tropical fruits and coconuts. The various divisions of the Guam Department of Agriculture deal with the animal and plant industry, agricultural development, forestry and soil resources and aquatic and wildlife resources. As stated in the 2011 Guam Comprehensive Economic Development Strategy, the Agricultural Board of Commissioners reviews and makes recommendations regarding zoning, pest control, the preparation of an agricultural development plan, agricultural loans and related matters.

VI. Social conditions

A. Labour

31. According to the latest figures from the Guam Bureau of Labor Statistics, released on 1 December 2015, the unemployment rate in Guam in March 2015 was 6.9 per cent, a reduction of 0.8 percentage points from December 2014 and 0.5 percentage points from March 2014. In March 2015, the total number of unemployed was 4,840, which shows a decrease of 510 from March 2014. Preliminary statistics showed that, as at September 2016, total employment, including private and government, had declined by 800 jobs over the previous year.

32. As at 30 September 2016, approximately 24.5 per cent of employment was within the public sector, with the Government of Guam employing 11,730 persons, and the federal Government employing 3,900 persons. In the private sector, 47,210 jobs are broken down into the following sectors: agriculture, construction, manufacturing, transportation and public utilities, wholesale trade, retail trade, finance/insurance/real estate and services. The largest private industries are services (17,800 employees), retail trade (11,660 employees) and construction (6,070 employees).

B. Education

33. Guam has an extensive public and private education system. The public education system includes the University of Guam and Guam Community College. The Guam Department of Education is responsible for nearly 31,000 students in 41 schools. Approximately 25 private schools, including 2 business colleges, 5 high schools and a number of elementary schools, are mostly affiliated with Roman Catholic and Protestant religious denominations. The Territory receives federal funding each year to support such programmes as special education, summer school, the school lunch programme and the after-school Department of Education Extended Day programme. For fiscal year 2015, the Territory received $58 million in federal grants and contributions, making up 18.3 per cent of the budget of the Guam Department of Education.

C. Health care

34. There are two civilian inpatient medical facilities that serve the public sector. The Guam Memorial Hospital Authority is a public hospital with a capacity of 172 acute-care beds and 30 long-term care beds. Guam Regional Medical City has 132 acute-care beds. The United States Naval Hospital (see para. 36 below) primarily serves the military sector. There are three community/public health centres, one located in the north, one in the south and one in central Guam. Guam has some 271 doctors and 92 medical clinics.

35. The Government Accountability Office, in its 2013 report (see para. 26 above), noted that the health system of Guam was undersized. Officials from the Guam Memorial Hospital Authority participating in the supplemental environmental impact statement acknowledged that, using national hospital standards, Guam needed some 500 acute-care beds to fully meet the island's needs; the Authority, however, provided only 162 such beds. In addition to those infrastructure challenges, officials identified a number of problems relating to staffing, including difficulty in recruiting and retaining an adequate number of health-care personnel. The United States Department of Health and Human Services has designated Guam as a medically underserved area, which means that it has too few primary care providers, a high rate of infant mortality, a high rate of poverty and/or a large population of older persons. Guam also qualifies as a health professional shortage area, which means that it experiences shortages of primary medical care, dental or mental health providers. Although military personnel and their dependants generally do not use local health facilities, the Government of Guam anticipates that any Department of Defense civilian, any migrant and any construction worker associated with the realignment will be able to use the facilities.

36. According to the World Health Organization Country Cooperation Strategy for Guam 2013-2017, the prevalence of non-communicable diseases in Guam continues to rise. As part of the military build-up, a new military hospital was built to replace the previous facility, which was constructed in 1954. It officially opened on 21 April 2014, providing 42 beds, four operating rooms, two caesarean section rooms and improved diagnostic and ancillary capabilities, including magnetic resonance imaging and computed tomography scanning suites.

37. The Guam Department of Public Health and Social Services has developed a three-year strategic plan focusing on three priorities, which will help to guide the Department in augmenting its infrastructure and capacity to achieve its mission. The three priorities are workforce development, the modernization of information technology and support systems and the improvement of the organizational structure and processes.

VII. Environment

38. The Guam Environmental Protection Agency comprises five components: the Administrative Services Division, the Environmental Monitoring and Analytical Services Division, the Environmental Planning and Review Division, the Air and Land Programs Division and the Water Programs Division. Guam continues to experience environmental problems relating to the United States occupation during the Second World War and the atomic testing conducted by the administering Power in the Marshall Islands in the 1950s. Additional details can be found in previous working papers. To date, no official reports exist on the continuing high-level radiation spill from the Fukushima Daiichi nuclear power station into the Pacific Ocean.

39. As stated in the 2011 Guam Comprehensive Economic Development Strategy, the Guam Environmental Protection Agency implements various programmes that regularly monitor the status of the environment. United States Environmental Protection Agency regulations apply to Guam, but in some cases the Territory's own laws are more stringent than those of the United States. Guam is a relatively small and high-density island; its marine environment therefore constitutes a key litmus test with regard to the overall environmental impact of human activity on the land. The quality of the marine waters has generally been found to be excellent across all indicators. Soil erosion, which is associated with construction activity or natural erosion, is another area of special concern in southern Guam, given that sedimentation has resulted in the destruction of coral reefs in areas adjacent to the mouths of rivers.

40. Solid-waste landfills are another area of concern in Guam, given the limited land area. Problems are being magnified as the standard of living changes and increases in population and industrial activity bring more goods and commodities to the island. In its 2013 report (see para. 26 above), the Government Accountability Office noted that the existing landfill on Guam was environmentally compliant, had adequate capacity to meet current solid waste disposal needs and had sufficient expansion capacity to meet future needs related to realignment. According to the Government of Guam, however, the new landfill cannot be used for some types of waste, including construction and demolition waste. Consequently, meeting organic and realignment-related solid waste disposal needs will require the Government to continue to develop systems to handle waste that cannot be disposed of in the landfill and construct and open new solid waste disposal areas.

41. Some 33 per cent of the world's cyclones develop in the immediate area around Guam. In addition, according to the Global Assessment of Human-Induced Soil Degradation, the area of degraded soil in the Pacific is extensive. In Guam,

major road construction on steep slopes has caused erosion, with the resulting sedimentation killing coral colonies on fringing reefs.

42. According to the United States Environmental Protection Agency, Guam faces significant environmental challenges: the Territory has a fragile drinking water infrastructure; the island's wastewater treatment plants have been chronically out of compliance with federal rules and its own water quality standards; and the additional population expected on Guam over the next several years in connection with the military build-up (see section II above) has the potential to put additional stresses on its infrastructure and environment.

43. According to the administering Power, the United States Department of the Interior awarded $450,000 to the territory for various projects that support multi-sector collaboration and long-term planning, developed by the Guam Climate Change Task Force. The projects included conducting climate training workshops for planners and multi-sector resiliency workshops; conducting a comprehensive vulnerability analysis of built environments at coastal bays; creating a pilot climate geographic information system; and updating storm water management plans and implementation.

VIII. Relations with international organizations and partners

44. Guam has been an associate member of the Economic and Social Commission for Asia and the Pacific since 24 July 1981. The Territory is a member of the Pacific Community, the Micronesian Chief Executives Summit, the Pacific Basin Development Council, the Pacific Islands Development Programme, the Pacific Asia Travel Association and the South Pacific Regional Environment Programme. It also participates in the Pacific Community Coastal Fisheries Programme. Guam has observer status in the Alliance of Small Island States. In 2011, Guam was granted observer status in the Pacific Islands Forum.

IX. Future status of the Territory

A. Position of the territorial Government

45. Developments regarding discussions on the future status of Guam are considered in section I above.

B. Position of the administering Power

46. In a letter dated 2 November 2006 addressed to the delegate of American Samoa to the United States House of Representatives, the Assistant Secretary of State for Legislative Affairs elaborated on the position of the Government of the United States. He indicated that the status of the insular areas regarding their political relations with the federal Government was an internal United States issue, and not one that came within the purview of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. He also noted that the Special Committee had no authority to alter in any way the relationship between the United

States and those territories and had no mandate to engage the United States in negotiations on their status. He further noted that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to the economic, social and educational conditions in Non-Self-Governing Territories, the federal Government submitted annual updates on United States Territories to the Special Committee as a demonstration of United States cooperation as an administering Power and as a corrective to any errors in information that the Special Committee might have received from other sources.

47. According to the administering Power, on 23 February 2016 the Assistant Secretary for Insular Areas of the Department of the Interior, Esther P. Kia'aina, hosted a panel discussion in Washington, D.C., on the theme "Self Determination in the United States Virgin Islands, American Samoa and Guam". The panel of territorial experts and officials from the United States Department of the Interior and the Department of State provided an updated context for federal policymakers and a new generation to learn about the status of self-determination in the respective territories as well as to understand their rights to self-determination under federal and international law. The panel reaffirmed the position of the administering Power's that, under the United States Constitution, only the United States Congress has the plenary power to dispose of and make needful rules and regulations respecting the territories. It was also re-established that it is the policy of the administering Power that the territories have three distinct options for exercising self-determination: continued territorial status, statehood or independence.

X. Action taken by the General Assembly

48. On 6 December 2016, the General Assembly adopted without a vote resolution 71/113 on the basis of the report of the Special Committee transmitted to the Assembly (A/71/23) and its subsequent consideration by the Fourth Committee. In the resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of Guam to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of the decolonization of Guam, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it is ultimately for the people of Guam to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Welcomed the convening of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination and its ongoing work on a self-determination vote, as well as its public education efforts;

(e) Stressed that the decolonization process in Guam should be compatible with the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[1]

(f) Called once again upon the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encouraged the administering Power and the territorial Government to enter into negotiations on the matter, and stressed the need for continued close monitoring of the overall situation in the Territory;

(g) Requested the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

(h) Also requested the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard welcomed the financial assistance granted by the administering Power in support of the decolonization educational campaign, called upon the relevant United Nations organizations to provide assistance to the Territory, if requested, and welcomed the recent outreach work by the territorial Government;

(i) Further requested the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

(j) Stressed the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of Guam and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Guam and the administering Power;

(k) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Guam, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(l) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and preserve the cultural identity of the Territory, and requested the administering Power to take steps to

[1] General Assembly resolution 217 A (III).

enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(m) Took into account the 2030 Agenda for Sustainable Development,[2] including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

(n) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation and the impact of militarization on the environment, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(o) Requested the Special Committee to continue to examine the question of Guam and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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[2] General Assembly resolution 70/1.